

June 24, 2019

Taylor Amarel Scott
Muck Rock News
DEPT MR75031
411a Highland Ave
Somerville, MA 02144-2516

Re: Your Public Information Act Request

Mr. Amarel Scott,

The Baltimore City Mayor's Office is in receipt of your June 11, 2019 request for "all emails sent to, from, or copied to Mayor Jack Young from January 1, 2019, to June 1, 2019, with search term containing "EB-5" or "Whistleblower"." The Maryland Public Information Act ("PIA"), codified in Sections 4-101 *et. seq.* of the General Provisions ("GP") governs your request. A request for public information under the PIA must be submitted to the custodian of public records. GP § 4-202(a). Each governmental entity, including each Baltimore City agency, is the custodian of its own records. *See* Baltimore City Code, Art. 1 § 10-1.

This response is on behalf of the Mayor's Office, which currently unable to retrieve the emails you requested. As Maryland's Highest court has explained: "All the PIA requires a reasonable search under the circumstances. If the agency is able and does access the records for its own purposes without the extraordinary expense, it is not unreasonable for the agency to cause a similar search for those records when such a search is likely to yield records responsive to a particular PIA request." *Glass v. Arundel County*, 453 Md. 201, 236, n.32(2017). The court went on to state that this "does not mean that an agency is required to hire a computer expert and conduct a forensic examination of its information system to recover" any information. *Id.* Rather the PIA requires only the government "IT staff can perform the data extraction and sorting (that was) requested within their existing functionality and in the normal course." *Comptroller of the Treasury v. Immanuel*, 2016 Md. App.259, 271 (2014).

Nothing in this response is intended to indicate that any records sought from City agencies exist or to waive any privileges held by the Mayor and City Council. You may contest this response by filing a complaint in Circuit Court pursuant to PIA Section § 4-362.

Sincerely,



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